Campus Conversations

Academic Rights and Responsibilities at Carnegie Mellon: The Student Bill of Rights

April 2006
Credits

The three-month process that led to the creation of this document involved many faculty, students and administrators. Core contributors and consultants who developed materials, reviewed drafts and attended long meetings throughout the semester include:

- Michael Bridges: Psychology; Eberly Center for Teaching Excellence
- William Brown: Biology
- Michael Bueti: Student Senate; Physics
- Robert Cavalier: Philosophy
- Cindy Carroll: University Libraries
- Matt Easterday: Human Computer Interaction
- Susan Lawrence: English
- Erika Linke: University Libraries
- Daniel Resnick: History, Emeritus
- Tom Sabram: Student Body President; Chemical Engineering
- Liz Style: Southwestern Pennsylvania Program for Deliberative Democracy
- Randy Weinsten: Coro Fellow in Local Democracy
- Megan Voorhis: English
- James Vroom: University Libraries

Robert Cavalier directed the project planning for the campus conversation. Randy Weinsten and Susan Lawrence managed the document’s production. For document design, we are indebted to Doyle Partners, designers of the discussion document for the Greater New Haven regional dialogue.

Michael Bridges is lead researcher on the surveys and analyses that accompany this deliberation.

Additional thanks to Julie Beckenstein and Andrea Hamilton.

Finally, we also wish to acknowledge the support of Everett Tademy, Jennifer Church and the President’s Diversity Advisory Council.

Campus Conversations is a joint venture of the Southwestern Pennsylvania Program for Deliberative Democracy, the Coro Center for Civic Leadership, and University Libraries (Carnegie Mellon).

For more information on Campus Conversations, go to http://caae.phil.cmu.edu/cc/
## Contents

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Introduction: What is a Deliberative Poll?</td>
</tr>
<tr>
<td>2</td>
<td>Background: Academic Freedom in Contemporary US Universities</td>
</tr>
<tr>
<td>7</td>
<td>Points of View:</td>
</tr>
<tr>
<td>7</td>
<td>Voice #1: Adopt the “Student Bill of Rights”</td>
</tr>
<tr>
<td>9</td>
<td>Voice #2: Retain Current Policy</td>
</tr>
<tr>
<td>11</td>
<td>Voice #3: Modify Current Policy</td>
</tr>
</tbody>
</table>

**Carnegie Mellon Policy**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>Carnegie Mellon Students’ Rights Policy</td>
</tr>
<tr>
<td>10</td>
<td>Carnegie Mellon Grade Appeal Procedure</td>
</tr>
</tbody>
</table>

**Appendices**

Appendix A: Horowitz’s Academic Bill of Rights

Appendix B: Horowitz’s Student Bill of Rights

Appendix C: Reply of the American Association of University Professors

Appendix D: American Council on Education Statement on Academic Rights and Responsibilities

Appendix E: Pennsylvania House Resolution 177
Introduction:

What is a deliberative poll?

In a deliberative poll, people gather to discuss and develop informed opinions about issues that impact their lives, and then share those opinions with policy-makers who can take action based on them. Deliberative polling is a democratic decision-making process capable of articulating the informed voice of the people and potentially raising that voice to a level where it will be heard by those who make public policy. The process was developed and trademarked by Professor James Fishkin, now at Stanford University’s Center for Deliberative Democracy.

Deliberative polling has three main ingredients:

1. Balanced information about the issues
2. Discussion in small groups
3. The opportunity for participants to pose questions to a panel of experts

Campus Conversations, using the deliberative polling protocol, asks members of Carnegie Mellon’s campus community to become informed about and discuss campus-related issues, and then share their informed opinions with campus policy-makers.

These are the goals and objectives of Campus Conversations:

- Raise the level of campus-wide discussions of important issues to a new level
- Encourage students to question, expand and articulate their perspectives on their education
- Tap into our diverse student population
- Exemplify campus diversity by embedding it in students’ deliberative activities
- See students become more engaged with one another across groups that otherwise seldom come into contact
- Showcase and assess the benefits of deliberative polling

Ground Rules for Participating in a Deliberative Poll

- Please explain your own perspective
- Please listen to other peoples’ views; don’t interrupt
- Please focus on reasoned arguments, challenging experiences, and relevant facts
- Please treat your group members with respect
Academic Freedom in Contemporary US Universities

Your participation in this deliberative process will show how our campus community as a whole would think about academic freedom at Carnegie Mellon if the entire community had time to become informed about and discuss the issue with other people on campus.

Your responses to this issue will be passed on to the Student and Faculty Senate and will help them decide whether to support changes in current policy.

As you participate in this event, we hope you will

1. Learn about and understand current Carnegie Mellon policy regarding academic freedom
2. Understand the current state of the national debate about academic freedom in US universities
3. Assess Carnegie Mellon’s policy vis-à-vis the current debate

Freedom to learn and freedom to teach are concepts that have shaped the way higher education has evolved in the United States. On the one hand, these freedoms give educators control over the material they teach, while providing students with options regarding what they’d like to learn and how they’d like to learn it. On the other hand, these freedoms carry an inherent responsibility. To the extent that one is free to learn and free to teach, one is obligated to oneself and others to use that freedom in responsible and accountable ways. The current debate surrounding the Academic Bill of Rights proposed by David Horowitz is one way in which these freedoms are currently articulated and questioned.

Believing that a liberal bias in higher education has stifled free expression and oppressed conservative-minded students and faculty, David Horowitz has drafted the “Academic Bill of Rights” (Appendix A) and a second, similar document titled the “Student Bill of Rights” (Appendix B). These documents call for the representation of a broad range of intellectual perspectives in the classroom, and for administrative decisions such as hiring, firing, and promotions to be made with no consideration of political ideology. Horowitz invited universities to adopt these documents as policy. After being turned down by universities across the nation, he took his initiative to state legislatures.
In Pennsylvania, House Resolution 177 passed in July 2005. This bill, which adopts the language of the Academic Bill of Rights, established a committee to investigate whether academic hiring and firing, curricula, teaching, and campus climate require legislative oversight. If the Pennsylvania legislature moves beyond the current resolution to adopting the Academic Bill of Rights, then academic practices at state universities would come under state supervision. The legislature would monitor the environment for teaching and learning in state institutions, and state courts could be called upon to adjudicate in cases of suspected infringement.

The American Association of University Professors (AAUP) has responded that the Academic Bill of Rights would, by requiring a broad range of perspectives, subject learning to political standards at the expense of the scholarly standards that currently determine subject matter and faculty composition. As a result, they propose, educators could be required to teach opinions and theories that may be academically unsound. Moreover, educators would be required to grade work based on these same standards, creating a situation whereby “knowledge would be reduced to opinion.” The AAUP also warns that the Academic Bill of Rights would establish university administrations or state courts as the authorities over university curricula, an authority that is currently located in educators and grounded, through them, in scholarly and professional standards.

Horowitz contends that the Academic Bill of Rights is not intended to be legislation; rather, it is intended to be independently adopted by universities at their discretion. Moreover, he states that the Academic Bill

---

**Understanding the Issue:**

**What’s your FRAME of mind?**

It is always important to keep framing in mind since frames play a substantial role in how we come to understand and interpret issues. When you frame an issue in a particular way, you orient the topic or position toward particular values or concerns your audience may hold.

For example, a Subway Sandwich could be framed as a meal, on the one hand, or a path to losing weight, on the other (insofar as the “Jarrod-the-Subway-guy” campaign has come to define this fast food chain). In this way the sandwich can be understood either on the basis of its hunger-satisfying merit or as something to help control one’s weight (or, alternatively, as both). Thus, your preconceptions of the sandwich determine the way in which you come to understand what the sandwich is.

As you read the document to prepare for the deliberative poll, please be mindful of the ways in which the various positions, subsequent criticisms and responses are framed.

Horowitz has entitled his document the “Academic Bill of Rights,” and groups that support the initiative frame the issue in terms of student rights and, implicitly, as freedom from indoctrination. Concurrently, the response from groups like the AAUP frames the issue as one of freedom to teach and respect for knowledge of the discipline. The former framework asks whether the quality of education is being affected by ideological bias; the latter framework asks if the quality of education and the advancement of knowledge will be better ensured by relying internally on scholarly standards, or externally on administrations and courts.
of Rights does not call for political standards or for
the introduction of unsound viewpoints, but rather it
advocates a commitment to intellectual diversity, and
its intent is break down the very political standards
that the AAUP charges it with introducing.

The Current Students’ Rights Policy
at Carnegie Mellon

Carnegie Mellon’s Students’ Rights policy appears in
the “Standards for Academic and Creative Life” sec-
tion of The Word, the university’s student handbook.

This policy makes students aware that they have some
basic rights and responsibilities as student members
of the academic community. The current Students’
Rights Policy is reproduced in the box on the next
page.

Proposed Amendment to the
Current Students’ Rights Policy

Acting on concerns from some of his constituents
regarding perceived grading bias, a 2004-2005 Student
Senator came to the table with a proposal to amend
Carnegie Mellon Students’ Rights Policy

The primary right of students is to pursue their education so long as they maintain their eligibility to remain a member of the community by meeting its academic standards and so long as they observe the regulations imposed by the University for the governance of the academic community.

The second right of students is to be recognized as member of the student body, with all the privileges pursuant thereto as to use of physical plant, University services and facilities.

Every student has the constitutional rights and responsibilities of any citizen under law. Conversely, a responsibility of any student is to respect these rights of any other member of the University community.

A student has the right to expect that academic and professional processes be flexible and periodically open to review and to participate constructively with faculty and administration in those processes by which the University community maintains the excellence of the standards of its curriculum and methods of instruction and the viability of its total educational program.

The student has the right to recourse through the procedures outlined in The Word/Student Handbook against unreasonable academic action.

It is generally agreed that this amendment seeks to clarify and state an implicit right that had previously not been made explicit: the right to be graded fairly. The Student Senate and the Faculty Senate agree that this amendment is geared toward increasing students’ knowledge of existing policy.

The amendment was then vetoed by the Student Body President due to a lack of input from the student body and the fact that less than 40 percent of Student Senators voted in favor of the resolution. The Senate voted against overturning the veto, so the amendment is now off the table. The outcome of this deliberative poll will help inform the Student Senate as to whether this amendment is a course of action that should be pursued further.

Most recently, the Carnegie Mellon Faculty Senate, at its March 21 meeting, passed a resolution condemning HR 177.
Some Questions for Reflection

1. In most institutions of higher education, faculty have final responsibility over their course content. While current curriculum is often the result of departmental level discussion, some have argued that others outside the department should be involved (university administration, local/state government, federal government, religious organizations, political action committees, etc.) Who should be involved in creating, offering feedback on, or approving course content? How much authority should they exert?

2. What role do personal opinions, values, beliefs and attitudes have in the classroom? What lines can be drawn between acceptable and unacceptable expression of opinions? Should faculty express their opinions
   - about the quality of an argument in a philosophy class?
   - about a presidential candidate in biology class?
   - about stem cell research policy in biology class?
   - about an argument for the proof of God’s existence in a philosophy class?
Should students express their opinions in these same situations? Should they have the right to refuse assignments that run counter to their beliefs?
Points of View:

How Do We Preserve Academic Freedom at Carnegie Mellon?

The following discussion describes different points of view, or “voices,” on what we should do here at Carnegie Mellon to protect the academic freedoms that are the foundation of university education in the US. These alternatives do not represent every possible argument or option. Instead, they attempt to show a broad range of possible courses of action. In important respects, however, the voices point in different directions and choices need to be made among them.

VOICE #1

“Adopt the Student Bill of Rights”

Carnegie Mellon should adopt Horowitz’s “Student Bill of Rights” in its entirety. Adopting the policy in its entirety will ensure 1) that students receive an education that exposes them to a broad spectrum of viewpoints on the subjects examined in their courses, 2) that they are graded fairly, and 3) that campus speakers are selected with a view to ideological diversity.

Students are vulnerable to ideological indoctrination from their professors. As the Student Bill of Rights states, the university community has, from its first statements on academic freedom, “recognized the vulnerability of students in particular to political and ideological abuses of the university as an institution.” Professors, by virtue of their authority over their students, have the ability to advance a particular ideology via their course design and grading policy. This version of indoctrination is a violation of the student’s academic freedom.

It is not clear that universities recognize and work to mitigate this danger. The Student Bill of Rights seeks to overcome this concern by including provisions for the use of “dissenting sources and viewpoints where
appropriate” and “organizational neutrality with respect to the substantive disagreements.” Current Carnegie Mellon policy fails to include these rights explicitly in the Students’ Rights Policy, allowing faculty too much freedom to teach specific agendas.

There is a liberal bias in higher education, and this raises concerns here at Carnegie Mellon. This is not to suggest that a majority of the faculty are acting inappropriately; it is more than likely that the majority of professors teach and act in a way that is perfectly appropriate and in line with the Student Bill of Rights. For this majority, these rights would not impact the way they have to think or teach as educators.

Student Senate has proposed and voted down an amendment to the Carnegie Mellon Students’ Rights Policy that would have ensured a student’s right to be graded on subject matter. But even had it been passed, that amendment would not have gone far enough: it did not mention intellectual diversity. To provide students with the guarantees that they will be treated fairly and equally, and that their education will be free from political and ideological indoctrination, we need to adopt the entire Student Bill of Rights.

In Support

- Many people acknowledge that students already have these rights and that universities already have these responsibilities. It is crucial, however, that these rights and responsibilities be listed in the policy statements of the University. Otherwise, students may not know that they have these rights, or that they have recourse when these rights are violated.

- Students with conservative attitudes sometimes report that they feel squelched or gagged in the classroom, and that their point of view does not receive enough focus or attention. This bill may provide a remedy.

Rights Guaranteed By the “Student Bill of Rights”

The Student Bill of Rights outlines a number of fundamental rights. Four of those rights are summarized here. The entire document is in Appendix B.

1. Students will be graded solely on the basis of their reasoned answers and appropriate knowledge of the subjects and disciplines they study, not on the basis of their political or religious beliefs.

2. Exposing students to the spectrum of significant scholarly viewpoints on the subjects examined in their courses is a major responsibility of faculty. Faculty will not use their courses for the purpose of political, ideological, religious or anti-religious indoctrination.

3. Curricula in the humanities and social sciences should reflect the unsettled character of all human knowledge in these areas by providing students with dissenting sources and viewpoints where appropriate... [educators] should consider and make their students aware of other viewpoints.

4. Selection of speakers, allocation of funds for speakers programs and other student activities will respect the principles of academic freedom and promote intellectual pluralism and exchange. Efforts to obstruct this exchange will not be tolerated.
In Opposition

- The Student Bill of Rights would force universities to promote breadth of opinion at the expense of quality and academic soundness. Requiring a broad range of viewpoints sounds good, but there are clearly some viewpoints that are not academically sound or relevant to a particular class.

- Curricula should be determined by scholarly standards internal to the discipline, interpreted by the scholarly community that is qualified by expertise and training to establish those standards, not by courts and administrators. Giving this authority over to courts and administrators would constitute a much greater politicization of knowledge than we have ever seen in the US.

About Statistics on Faculty
Political Affiliation

One frequently used argumentative resource in the debate is “the 10-to-1 ratio of liberal to conservative professors in US universities”; this ratio has tended, recently, to be cited as established fact. The statistic comes from a study that invites methodological scrutiny. The study found that the majority of faculty were politically unaffiliated (56.9%). It made the assumption that the unaffiliated professors showed the same conservative/liberal distribution as those who identified themselves as Democrats and Republicans. This assumption is flawed. Another feature of the study is that it examined faculty in 6 departments only: Economics, English, History, Philosophy, Political Science and Sociology.

Before generalizing the findings from any single study to larger populations, it is important 1) to examine the specifics of the study, and 2) to look for other studies that have replicated the findings across multiple samples, using multiple methodologies. The quality of public debate will be higher if participants critically examine the statistics they cite, and if they are careful about the claims that the statistics can support.

VOICE #2

“Retain Current Policy”

The “Student Bill of Rights” is overkill in dealing with a set of political grievances about course content, campus atmosphere, and grading. Current policy already provides a framework for dealing with these grievances.

Regarding the potential problem of unfair grading: current policy at Carnegie Mellon already upholds a student’s right to appeal a grade perceived to be unfair, and provides a procedure for making that appeal. The current Carnegie Mellon Students’ Rights Policy states:

The student has the right to recourse through the procedures outlined in the Word/Student Handbook against unreasonable academic action.

The procedure, described in the student handbook,* and reproduced on the next page, outlines a multi-step process in which a student first attempts to resolve the problem with the faculty member who issued the grade, and then, if the grievance is not resolved at that level, has the option of appealing to the department head, the College Council, and even the Provost. In other words, the policy authorizes students who believe that they have not received a fair grade, or an adequate hearing for their appeal, to take their case for adjudication to a very high level in the university administration.

Regarding the problem of course design: the system by which course content is developed, and by which the topics, questions and issues that shape a course are generated, is a dynamic one. It relies on the expertise, training, and currency of the faculty member who has been hired to teach the course; give-and-take among faculty in discussions in the department that offers the course; and feedback from students.

* http://www.studentaffairs.cmu.edu/theword/university/standards.cfm
It is this reliance on the expertise of people who conduct research at the frontiers of their fields that has created the extremely high quality of US tertiary education, an education which, arguably, is among the best in the world. The reliance on faculty expertise does not, however, preclude students from contributing to course design. Faculty receive informal feedback in class and in other discussions with students, and formal feedback in course evaluations (FCEs), and take action on this feedback as they revise their courses, balancing student feedback against the standards of the field and the requirements of the curriculum.

In sum, Carnegie Mellon has no need to change its current policy regarding grading or course design. It already assures a student’s right to appeal a grade, and it adopts a system of course design that yields the highest-quality education available to students.

---

**Procedure for the Appeal of Grades and Other Academic Actions**

Students who believe that a grade which has been awarded to them is incorrect or that an academic action, recommended by their department and approved by the College Council, is unreasonable or inconsistent with the practice of the college should use the following procedures for prompt and equitable resolution of the grievance.

In the case of grades the student must:

1. Present the case verbally to the faculty or staff member responsible for the course in which the student believes an inappropriate grade has been awarded.
2. Present the grievance in written form with appropriate documentation to the department head of the department responsible for the course if Step 1 does not resolve the grievance. The department head will provide within 30 days a written decision and the basis for it in the matter of the grievance.
3. Present copies of all documents originally sent to the department head in Step 2 and a formal letter of appeal to the College Council of the college responsible for the course if the student believes that Step 1 does not adequately resolve the grievance or if no decision has been rendered within the 30 days provided for in Step 2. The Dean of the college, acting for the University, will respond in writing with prompt and equitable resolution of the complaint, normally within 30 days and will document the basis for the College Council’s decision.

In cases in which the student believes an academic action recommended by the head of the department and approved by the College Council is inconsistent with the policies of the college or incorrect, the student should use the following procedure:

1. In writing, the student must petition the College Council to make a formal review of the appropriateness of the action, such review to take place at the next scheduled meeting of the College Council.
2. The Dean of the college will provide in writing within 30 days after the next scheduled meeting of the College Council the response of the council to the petition and the basis for it.

If, after carrying out the steps described above as appropriate, the student believes that the matter is not adequately resolved or if no decision has been rendered on the last step outlined for the particular grievance, the student must present copies of all documents and a formal letter of appeal to the Provost or another University officer designated by the President for resolution of the grievance. That officer, acting for the University, will respond in writing with prompt and equitable resolution of the complaint, normally within 30 days, and will document the basis for the decision.
In Support

• The current policy and procedure works. Students do take advantage of this right to appeal grades that they believe to be unfair, and faculty do respond to student feedback.

• It is not in the student’s best interest to be taught by a faculty that fears political consequences for its teaching and curricula. Such fear is much more likely to contract than expand the student’s education.

In Opposition

• Nothing in the current grading policy and procedure assures students the right to be evaluated according to the stated course material and criteria, rather than according to the political positions that might underlie the work they submit. While most faculty, administrators and students agree that this right is already an implicit one, a student bill of rights will make it explicit.

• The way you calibrate to the right or left is through the faculty you hire. If that faculty is already weighted to the left, how can this dynamic system adjust?

VOICE #3

“Modify Current Policy”

Add an amendment to the Carnegie Mellon Students’ Rights Policy that asserts a student’s right to be graded on subject matter rather than political beliefs or other ideology. This is the proposed amendment for a third right of students as it was co-authored by a group of student senators, faculty, and administrators:

The third right of students is to have their work evaluated based on the stated course and program criteria and appropriate knowledge of the subjects and disciplines they study, as outlined by the relevant faculty.

Much of the wording of the amendment is derived from existing policy, and it is generally agreed that the amendment seeks simply to clarify and state a right that exists, but that has not been made explicit: the right to be graded fairly. This amendment would increase students’ knowledge of the existing policy by explicitly stating this right.

In Support

• Adding this item to our Students Rights’ Policy would increase students’ awareness of their already-existing right to be graded fairly, and acknowledge a grievance by those who feel there is a liberal bias on campus.

• Such a small change to the current rights policy can’t hurt; it can only help. It’s hard to see why people would be opposed to adding this amendment.

In Opposition

• This proposed amendment adds nothing to existing student rights; it repeats what is already there. The last paragraph of the Students’ Rights Policy equals the proposed amendment.
• If anything, the amendment could narrow a right that is generally interpreted broadly: the language of the current policy—“unreasonable academic action”—has more scope than the language of the proposed amendment. The proposed amendment references only “the stated course and program criteria” and “appropriate knowledge of the subjects and disciplines...as outlined by the faculty.” So the amendment could actually reduce the circumstances under which a student’s grade would be judged to be unfair.

• Adding this right to the current list could be an initial step on the road toward bending to Horowitz’s ideological agenda and acceding to administrative and government control over course curricula.

Thank you for reading this document!
In small group discussions, you will be likely to address the following questions:

• What are the strong points and what are the concerns about adopting the Student Bill of Rights at Carnegie Mellon?
• What are the strong points and what are the concerns about retaining current policy here?
• What are the strong points and what are the concerns about adding an amendment to Carnegie Mellon’s Students’ Rights Policy?